

APPENDIX A

REVIEW AND APPROVAL PROCESS FOR SUBSEQUENT ACTIVITIES

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PROJECT REVIEW AND APPROVAL PROCESS

The CPUC developed the Program EIR to set forth a process-oriented approach with performance standards for analyzing potential impacts from construction of telecommunications infrastructure and for identifying and implementing required mitigation measures. The purpose of this Program EIR is to establish a clear process for obtaining approval for subsequent activities proposed by Sempra Communications that require construction activities and to ensure compliance with the mitigation measures identified in the Program EIR. The process proposed by the CPUC for subsequent activities complies with CEQA's goals of efficient and expeditious environmental protection while facilitating the goals of the Commission, state, and federal government in furthering telecommunications competition and consumer choice in a fair and efficient manner.

WORK PLAN SUBMITTAL

Sempra Communications may not begin construction on any subsequent activities without the CPUC first authorizing the construction of such facilities by issuance of a Notice to Proceed (NTP) pursuant to compliance with the Program EIR. To initiate the NTP approval process, Sempra Communications must submit to the CPUC the proposed route-specific construction plans and a detailed description of the proposed activity in the form of a work plan. The work plan outline is included as Attachment A.

Concurrent with submitting a work plan, Sempra Communications must submit a checklist documenting the evaluation of the environmental effects of the proposed work plan to determine whether the environmental effects of the work plan were covered in the Program EIR and which mitigation measures developed within the Program EIR would be applicable to and required for implementation of the work plan. If results of the checklist indicate that the environmental effects were not covered in the Program EIR, then Sempra Communications must either revise the work plan to avoid such effects (and revise the checklist as appropriate for submission) or submit a complete application (and all accompanying documents) to modify the existing CPCN. The required checklist form is included as Attachment B.

NOTIFICATION REQUIREMENTS

Prior to submittal of a work plan, Sempra Communications must identify and submit a list of all trustee and responsible agencies for the work plan, all special districts, and all local jurisdictions (cities and counties) in which activities under the work plan will occur, as well as all regional

resource and planning agencies related to the location of the proposed activities. Sempra Communications will provide for review and approval a draft notice of construction, and the list of agencies described above, to the Public Advisor and Energy Division 14 days prior to submittal of the work plan.

The notice shall include the following information:

- Activity Identification Number
- Clear identification of the Utility (i.e., name and utility-ID number)
- A concise description of the proposed construction and facilities; its' purpose; and route/location
- A summary of mitigation measures that will be in place (e.g., dust-control; noise suppression; species and habitat avoidance; etc.)
- Instructions on how to comment on the proposed construction (contact information at both CPUC and Utility) and deadlines
- Instruction on how to obtain a copy of the work plan submittal to the CPUC
- Proposed dates of construction (i.e., starting date and duration)

Following the approval of the draft notice, Sempra Communications may submit a work plan for the proposed activities specifically described in the notice of construction. Upon submittal of the work plan to the CPUC, Sempra Communications shall issue the notice of construction and the work plan to all agencies verified by the CPUC and others the CPUC may deem as appropriate for a 21-day review period. Additionally, in conjunction with the agency notification and in coordination with the CPUC, Sempra Communications shall post a notice of construction along the project route and notify all current occupants of properties adjacent to the proposed work plan location(s). Both the agency and public notifications shall solicit comments on whether the Program EIR and its mitigation covers the work plan and its impacts. During the 21-day notification period, the CPUC will consider any relevant comments or concerns from the agencies and the public that may substantially influence issuance of an NTP for the proposal.

CPUC REVIEW AND AUTHORIZATION

CPUC staff will review the work plan and supporting documentation immediately upon receipt of the proposal and provide comments to Sempra Communications. If the work plan is reviewed and it is determined that the activity does not fall within the scope of the Program EIR, then the work plan will be considered outside the scope and subsequent environmental analysis would be required.

If all the information is deemed complete, Sempra Communications shows compliance with the Program EIR, and the information included in the work plan a) demonstrates that identified impacts are neither broader in scope nor more severe than those previously approved in the Program EIR, b) demonstrates that all proposed mitigation falls within that which was previously disclosed in the Program EIR, and c) comments received from relevant agencies and the public during notification of the work plan do not indicate any substantially new or more severe impacts, the CPUC will issue an NTP within 21 days of the end of the notification period (or 42 days from work plan submittal) regarding their acceptance or denial of the proposed work plan.

ATTACHMENT A
Construction Work Plan

CONSTRUCTION WORK PLAN

The applicant must prepare a construction work plan package for each subsequent activity as prescribed in the Program EIR for CPUC approval. The work plan must follow the outline below, but the extent of the work plan depends on the nature of the activity. Following this outline is the environmental checklist that must be fully executed and included in the work plan package.

1. Applicant's Name and Utility ID Number

2. Activity Identification Number

3. Proposed Construction Plans

Include three copies of engineered construction plans.

4. Project Description

A concise description of the proposed construction and facilities; its purpose; and route/location.

5. Environmental Clearance

The applicant must submit an environmental checklist documenting the evaluation of the environmental effects of the proposed work plan to determine whether the environmental effects of the work plan were covered in the Program EIR and which mitigation measures developed within the Program EIR would be applicable to and required for implementation of the work plan.

6. Agency Review

List all trustee and responsible agencies related to the location of the proposed activity including all local jurisdictions, all special districts, and all regional resource and planning agencies related to the location of the proposed activity. Identify all required permits for authorization of the proposed activity (e.g., federal, state and local; environmental, air resources board, planning departments, and public works departments)

7. Proposed Construction Schedule

Attach a detailed schedule of construction activities (i.e., starting date and duration, including site restoration activities).

8. Signature Block

Include a signature line for applicant, verifying that all information is complete and accurate. Construction cannot be initiated until the Notice to Proceed from the CPUC has been received by the applicant.

ATTACHMENT B
Environmental Checklist

ENVIRONMENTAL CHECKLIST

General Description

Activity Identification Number: _____

Applicant/Preparer _____

Phone: () _____

Date: _____

Area Description

☐ Urban

☐ Suburban

☐ Rural

Substrate

☐ Asphalt/Concrete

☐ Soil

☐ Other: _____

Location (Address, Provide Map): _____

UTM or Latitude/Longitude: _____

Photo Documentation Included? ☐ **yes** ☐ **no**

Aesthetic Resources

1. Are scenic resources or designated scenic highways within 1,500 feet of the proposed activity?

☐ yes

☐ no

If yes, identify all scenic resources or designated scenic highways within 1,500 feet of the proposed activity.

2. List applicable mitigation measures from the Program EIR.
3. Will the proposed activity result in any impacts to aesthetic resources not covered by the Program EIR?

Agricultural Resources

1. Will the proposed work plan involve direct impacts to agricultural use? If yes, specify impacts.

☐ yes

☐ no

2. List applicable mitigation measures from the Program EIR.
3. Will the proposed activity result in any impacts to agricultural resources not covered by the Program EIR?

Air Quality

1. Identify the proposed number and type of crews that will be required to complete the proposed activity. Calculate a maximum number of work crews on any given workday, to identify whether daily, quarterly, or yearly levels are anticipated to reach a level of significance for each air district shown on Table 4.3.11 of the Program EIR.
2. List applicable mitigation measures from the Program EIR that will be implemented to lessen impacts to a less than significant level. If significant impacts are unavoidable, demonstrate mitigation measures from the Program EIR that will be applied to minimize the effects to the maximum extent.
3. Will the proposed activity result in any impacts to air quality not covered by the Program EIR?

Biological Resources

Habitat Types and Special Status Species

1. Based on GAP maps included in the Program EIR (Figures 4.4-1 through 4.4-15) and field level reconnaissance surveys, which habitat types are located within and adjacent to the proposed work area?
2. Based on the special status species tables in Appendix E of the Program EIR, which special status species may occur within habitat present in or adjacent to the proposed work area?
3. Based on a current search of the CNDDDB, are there any additional special status species not included in Appendix E of the Program EIR which may occur within habitat present in or adjacent to the proposed work area?
4. Is the proposed work area located within a region designated or proposed for designation as critical habitat for any Threatened or Endangered species by USFWS or NMFS? If yes, list species:

☐ yes

☐ no

5. List any special status species observed during field level reconnaissance surveys of the proposed work area.

Biological Resources (cont.)

Results of Field Reconnaissance

Riparian Vegetation Present? ☐ yes ☐ no

Raptors Present? ☐ yes ☐ no

Nests Present (List Bird Spp Observed)? ☐ yes ☐ no

Burrows/Underground Refugia Present? ☐ yes ☐ no

USFWS/NMFS Consultation Required? ☐ yes ☐ no

Water Resources and Wetlands:

Drainages Present ☐ yes ☐ no Wetlands Present ☐ yes ☐ no

Seasonal ☐ Perennial ☐ Delineation Required ☐ yes ☐ no

Tidal ☐ yes ☐ no

Lake/Pond/Vernal Pool (Circle if Present)

Rationale/Discussion:

Permits Required:

USACE ☐ yes ☐ no NMFS ☐ yes ☐ no

RWQCB ☐ yes ☐ no USFWS ☐ yes ☐ no

CDFG ☐ yes ☐ no BCDC ☐ yes ☐ no

State Land Commission ☐ yes ☐ no Cal. Reclamation Board ☐ yes ☐ no

Local Counties and Cities ☐ yes ☐ no If yes, list:

Local, Regional, or State Habitat Conservation Plans or Other Policies

6. List Habitat Conservation Plans or land management agency policies/regulations applicable to construction activities in proposed work area.
7. List applicable mitigation measures from the Program EIR.
8. Will the proposed activity result in any impacts to biological resources not covered by the Program EIR?

Cultural Resources

CHRIS Records Search? ☐ yes ☐ no

Request NAHC contact list and query
Sacred Lands File? ☐ yes ☐ no

Contact Parties on the NAHC list by letter
and phone (identify concerns and sites)? ☐ yes ☐ no

Site visit/survey (identify architectural,
historic, and prehistoric resources)? ☐ yes ☐ no

1. Prepare a cultural resources report that identifies historical buildings and cultural resource sensitivity for the proposed activity.
2. Reroute or demonstrate avoidance of identified historic resources.
4. List applicable mitigation measures from the Program EIR.
5. Will the proposed activity result in any impacts to cultural resources not covered by the Program EIR?

Hazardous Materials

1. List results of Phase I database search that was conducted for the proposed alignment and identify the location of any hazardous materials within the vicinity of the work plan.
2. List applicable mitigation measures from the Program EIR.
3. Will the proposed activity result in any impacts from hazardous materials not covered by the Program EIR?

Hydrology and Water Quality

1. Are water resources located within the vicinity of the work plan?

☐ yes ☐ no

If yes, identify all water resources directly affected by the proposed activities.

4. If water resources will be directly affected by the proposed work plan, list the proposed methods of installation across the identified water features.
5. List applicable mitigation measures from the Program EIR.
6. Will the proposed activity result in any impacts to hydrology or water quality not covered by the Program EIR?

Land Use and Planning

- 1 Identify applicable land use plan, policy, or regulation of an agency with jurisdiction over the proposed work plan (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance).
- 2 With which local planning staff did Sempra Communications consult and which permits (if any) are required?
- 3 Include a report documenting the results of the consultation process with each relevant local jurisdiction as part of the work plan.
- 4 List applicable mitigation measures from the Program EIR.
- 5 Will the proposed activity result in any impacts to land use and planning not covered by the Program EIR?

Noise

1. List the construction hours limitations and construction equipment standards set forth in the local general plan noise element and the noise ordinance of all applicable jurisdictions of cities and counties affected by the proposed activity.
2. If the work plan includes regenerator / OP-AMP stations, provide a detailed site specific noise analysis that identifies nearby sensitive land uses and the impact on the ambient noise level from the operation of HVAC equipment and the backup generators. Are the operational noise levels expected to exceed the local noise standards? If yes, what site-specific mitigation measures are recommended by the analyst?

☐ yes

☐ no

3. List applicable mitigation measures from the Program EIR.
4. Will the proposed activity result in any noise related impacts not covered by the Program EIR?

Recreation

1. Identify all recreational facilities within the vicinity of the proposed work plan.
2. Demonstrate avoidance of impacts to any recreational facilities or authorization by the local city or county parks department or equivalent government entity for the proposed activities that may impact those recreational facilities.
3. List applicable mitigation measures from the Program EIR.
4. Will the proposed activity result in any impacts to recreational resources not covered by the Program EIR?

Other Topics of Analysis

1. List applicable mitigation measures from the Program EIR for the following topics of analysis:
 - Geology and Soils; and
 - Utilities and Services Systems.

2. Per the Environmental Checklist Form in Appendix G of the CEQA *Guidelines* does the work plan and associated activities result in any impacts not covered by the Program EIR for the following Checklist Items:
 - Mineral Resources;
 - Geology and Soils;
 - Population and Housing;
 - Public Services; and
 - Utilities and Service Systems.